

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JOHNNIE McKNIGHT (#11726-021)

PETITIONER

VS.

CIVIL ACTION NO. 5:11cv98DCB-RHW

ARCHIE LONGLEY (Warden)

RESPONDENT

ORDER

This cause came on this date to be heard upon the Proposed Findings of Fact and Recommendation of the United States Magistrate Judge, after referral of hearing by this Court, and the Court, having fully reviewed the Proposed Findings of Fact and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge Robert H. Walker be, and the same is hereby, adopted as the finding of this Court, and McKnight's petition should be dismissed for failure to exhaust administrative remedies, for his failure to establish his entitlement to the relief requested and because the issues presented became moot upon his release from prison.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 29th day of October, 2012.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE